

AMENDED IN ASSEMBLY JUNE 2, 2003

AMENDED IN ASSEMBLY APRIL 3, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 895

Introduced by Assembly Member Steinberg

February 20, 2003

~~An act to add Division 22.4 (commencing with Section 32400) to the Public Resources Code, relating to the Lower American River-Sacramento River Conservancy. An act to add Section 3332.8 to the Food and Agricultural Code, and to add Chapter 2.7 (commencing with Section 10900) to Division 2 of the Public Contract Code, relating to public contracts.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 895, as amended, Steinberg. ~~Lower American River-Sacramento River Conservancy~~ *Public contracts: competitive bidding: Cal Expo and District Agricultural Associations.*

Existing law establishes procedures for competitive bidding of certain contracts by public entities, and requires certain local agencies and districts to let contracts for any improvement or unit of work, with costs estimated to exceed specified amounts, to the lowest responsible bidder or bidders, according to specified procedures.

This bill would require the California Exposition and State Fair and District Agricultural Associations to let all written revenue generating agreements of any duration involving revenues to the fair or association of more than \$100,000, except those agreements for the provision of

food, to the highest responsible bidder meeting specifications, in accordance with competitive bidding requirement.

Existing law generally creates the California Exposition and State Fair, which is an entity in state government.

This bill would require that if the California Exposition and State Fair enters into a contract, lease, or written agreement that is greater than a current contract, lease, or written agreement that allows for harness racing, the additional funds resulting from the new contract, lease, or agreement would be deposited in a newly created fund, as specified, to be expended, upon appropriation by the Legislature, for the purpose of keeping the Sacramento County overflow homeless shelter open year round, or for as long as those funds permit, either at the California Exposition and State Fair or any other appropriate location.

~~Existing law provides for the establishment of a conservancy for the acquisition and management of public lands for specified purposes.~~

~~This bill would establish the Lower American River-Sacramento River Conservancy to acquire and manage public lands in the Lower American River-Sacramento River corridor and would prescribe the powers and duties of the conservancy.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

~~1 SECTION 1. Division 22.4 (commencing with Section~~
~~2 32400)~~

3 SECTION 1. Section 3332.8 is added to the Food and
 4 Agricultural Code, to read:

5 3332.8. (a) If the California Exposition and State Fair enters
 6 into a contract, lease, or written agreement that allows for
 7 standard bred horse racing, more commonly known as harness
 8 racing, that results in greater compensation than the agreement
 9 that is in effect on the effective date of this section, the additional
 10 funds resulting from the new contract, lease, or agreement shall be
 11 deposited in the Sacramento County Overflow Homeless Shelter
 12 Account, which is hereby created in the State Treasury, to be
 13 expended, upon appropriation by the Legislature, for the purpose
 14 of keeping the Sacramento County overflow homeless shelter open
 15 year round, or for as long as those funds permit, either at the

1 *California Exposition and State Fair or any other appropriate*
2 *location.*

3 *(b) If the location of the shelter is not at the California*
4 *Exposition and State Fair, the California Exposition and State*
5 *Fair shall be responsible for the following:*

6 *(1) Finding the location of the shelter.*

7 *(2) Working with the operator of the shelter and Sacramento*
8 *County to ensure that the shelter is adequately sited.*

9 *(c) The shelter shall be the same or appropriately similar to the*
10 *current overflow shelter that operates from October to April of*
11 *each year regarding, among other things, the type of facility, hours*
12 *of operation, and size.*

13 *SEC. 2. Chapter 2.7 (commencing with Section 10900) is*
14 *added to Division 2 of the Public Contract Code, to read:*

15
16 *CHAPTER 2.7. CALIFORNIA EXPOSITION AND STATE FAIR AND*
17 *DISTRICT AGRICULTURAL ASSOCIATIONS COMPETITIVE BIDDING*
18

19 *10900. (a) Pertaining to revenue generating contracts, the*
20 *California Exposition and State Fair and all District Agricultural*
21 *Associations shall let all written agreements, including, but not*
22 *limited to, contracts, licenses, leases, or agreements to permit*
23 *others to use grounds of the fair or association or to provide*
24 *services as a concessionaire, of any duration and involving*
25 *revenue to the fair or association of more than one hundred*
26 *thousand dollars (\$100,000), to the highest responsible bidder*
27 *meeting specifications or else reject all bids, in accordance with*
28 *the requirements for competitive bidding.*

29 *(b) Subdivision (a) does not apply to agreements for the*
30 *provision of food.*

31 ~~*is added to the Public Resources Code, to read:*~~

32
33 ~~*DIVISION 22.4. LOWER AMERICAN*~~
34 ~~*RIVER-SACRAMENTO RIVER CONSERVANCY*~~
35

36 ~~*CHAPTER 1. GENERAL PROVISIONS AND DEFINITIONS*~~
37

38 ~~*32400. This division shall be known, and may be cited, as the*~~
39 ~~*Lower American River-Sacramento River Conservancy Act.*~~

~~32401. The Legislature finds and declares both of the following:~~

~~(a) The corridor of the Lower American and Sacramento Rivers is a key component of the Sacramento River Flood Control Project. The corridor contains valuable natural resources that can be preserved and enhanced for the benefit of present and future generations, as well as opportunities to provide increased access for recreational and educational purposes.~~

~~(b) Coordinated planning and the preservation and management of lands within the corridor will provide a benefit for the citizens of California.~~

~~32402. As used in this division, the following terms having the following meaning:~~

~~(a) "Board" means the governing board of the Lower American River-Sacramento River Conservancy.~~

~~(b) "Conservancy" means the Lower American River-Sacramento River Conservancy.~~

~~(c) "Lower American River-Sacramento River corridor" means lands in Sacramento, Yolo, or Sutter Counties along and adjacent to the Lower American River downstream of Folsom Dam, the Sacramento River from the Fremont Weir to Courtland, the Yolo Bypass, and tributaries as may be identified by the board.~~

~~CHAPTER 2.~~

~~LOWER AMERICAN RIVER-SACRAMENTO RIVER CONSERVANCY~~

~~32405. (a) There is in the Resources Agency, the Lower American River-Sacramento River Conservancy, which is created as a state agency for the following purposes:~~

~~(a) To acquire and manage public lands in the Lower American River-Sacramento River corridor.~~

~~(b) To provide for the safe containment of flood waters.~~

~~(c) To preserve and enhance the natural features of the acquired lands.~~

~~(3) To enhance public access for recreational and educational purposes.~~

~~32406. (a) The conservancy shall develop a plan to guide its acquisition and management of lands. The plan shall further the purposes set forth in Section 32405. The conservancy shall formulate the plan in consideration of all of the following:~~

1 ~~(1) The need to safely convey flood waters through the~~
2 ~~corridor.~~

3 ~~(2) Opportunities to preserve and enhance the natural resources~~
4 ~~of the corridor.~~

5 ~~(3) Present and planned development in areas adjacent to the~~
6 ~~corridor.~~

7 ~~(b) In developing the plan, the conservancy shall provide~~
8 ~~opportunity for input from the public and public agencies and shall~~
9 ~~coordinate with local jurisdictions with land use authority~~
10 ~~extending to the corridor.~~

11 ~~(c) The conservancy may prioritize and implement the~~
12 ~~acquisition and management of land in accordance with the plan~~
13 ~~and with the plan recommendations.~~

14 ~~(d) The conservancy may only approve projects funded by the~~
15 ~~conservancy that advance the policies and priorities set forth in this~~
16 ~~division.~~

17 ~~32407. (a) The conservancy may not acquire any land~~
18 ~~without the approval of the local public agency responsible for~~
19 ~~zoning or otherwise regulating use of the affected land.~~

20 ~~(b) The conservancy shall contract with the Sacramento Area~~
21 ~~Flood Control Agency to provide staffing and administrative~~
22 ~~functions.~~

23 ~~(c) The conservancy shall coordinate its actions with~~
24 ~~appropriate federal and state agencies.~~

25 ~~32408. The board shall consist of the following voting~~
26 ~~members and nonvoting members appointed as follows:~~

27 ~~(a) ———~~